

FEB 23 2012

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February 21, 2012

Hon. Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E. Street, S.W., Room # 100  
Washington, DC 20423-0001

231884

Notice of Discontinuance of Operations on Remaining Portion of Rail Line

Re: Joint Petition for Exemption and Waiver of Public Use, Interim Trail Use and Financial Assistance Procedures for Discontinuance of Operations by Fort Worth and Dallas Belt Railroad Company ("FWDB"), Abandonment and Discontinuance of Trackage Rights by Fort Worth and Western Railroad Company ("FWWR") and Abandonment and Discontinuance of Operations by Union Pacific Railroad Company ("Union Pacific") on and of the North Fort Worth Branch from M.P. 633.02 to M.P. 634.25, a distance of 1.23 miles in Tarrant County, Texas; STB Docket No. AB-1038X, STB Docket No. AB-546X and STB Docket No. AB-33 (Sub-No. 280X), respectively.

Dear Ms. Brown:

By petition filed August 7, 2009, Union Pacific Railroad Company (UP), Fort Worth and Dallas Belt Railroad Company (FWDB), and Fort Worth and Western Railroad Company (FWWR) (collectively, Petitioners) jointly sought an exemption under 49 U.S.C. 10502 from the provisions of 49 U.S.C. 10903 to permit: (1) UP to abandon and discontinue service over a segment of its North Fort Worth Branch line of railroad between milepost 633.02 and milepost 634.25, a distance of approximately 1.23 miles in Tarrant County, TX; (2) FWDB to discontinue operations over the subject line segment; and (3) FWWR to discontinue overhead and local trackage rights over the subject line segment. Petitioners stated that the lease and trackage rights would remain in full force and effect for the remainder of the North Fort Worth Branch.

Petitioners also sought exemption from the offer of financial assistance (OFA) provisions at 49 U.S.C. 10904 and the public use provisions at 49 U.S.C. 10905, and they seek relief from the trail use provisions at 49 CFR 1152.29.

By decision served on November 25, 2009 (November 2009 decision), the Board, under 49 U.S.C. § 10502, granted exemption from the requirements of 49 U.S.C. § 10903 the abandonment and discontinuances as requested by the Petitioners, subject to the employee protective conditions set forth in Oregon Short Line R. Co.-Abandonment-

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and FWWR verified that CM, during the process of relocating to its new facility, would require rail service on the remaining portion of the line until December 31, 2011.

By decision served on May 2, 2011, the Board granted UP's request for extension, until December 31, 2011, the time to file its notice of consummation on the remaining portion of the North Fort Worth Branch, between milepost 633.44 and milepost 634.06, used to continue service to CM until CM completes its relocation.

By letter filed December 21, 2011, pursuant to 49 CFR 1152.29(e)(2), UP advised the Board that as of December 31, 2011, the UP will have consummated the abandonment and discontinuance of operations over the remaining portion of the North Fort Worth Branch, between milepost 633.44 and milepost 634.06.

FWDB and FWWR, pursuant to 49 CFR 1152.29(e)(2), hereby confirm that, as of December 31, 2011, CM has closed its plant site and no longer required rail service, and accordingly: (1) FWDB has discontinued operations over the subject line segment; and (2) FWWR has discontinued overhead and local trackage rights over the subject line.

FWDB and FWWR have discontinued all operations, cancelled applicable tariffs, and intend that their operations over the subject line segment be removed from the interstate rail network and commerce.

Yours truly,

  
Paul H. Lambole

PHL/nd

Cc Mack H. Shumate, Jr.  
Senior General Attorney, Law Department  
Union Pacific Railroad